

REMARKS

Claims 1-59 were originally filed. Claims 15, 33-54, and 57-59 were previously withdrawn from consideration. Claims 1-14, 16-32, 55, and 56 stand rejected. Claims 1-14, 16-32, 55, and 56 are pending.

Rejection under 35 U.S.C. 102(e)

In the Office Action, claims 18, 29, and 30 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Claim 18 has been amended to require --impact absorbing material--, instead of "inertial absorbing material" as originally filed.

Claim 29 has been amended to require --tamper sensing circuitry--, instead of "tamper determining means to detect tampering with the craft."

Applicant respectfully submits that claims 18, 28, and 29 are now in condition for allowance. Reexamination and allowance of claims 18, 28, and 29 are respectfully requested.

Rejection under 35 U.S.C. 102(e)

In the Office Action, claims 1, 3, 5-11, 14, 55, and 56 are rejected under 35 U.S.C. § 102(e) as being anticipated by Lin, et al. (US 2002/0021245A1). Lin discloses an integrated GPS and inertial measurement unit.

Lin, et al. does not disclose the subject matter claimed by the applicants. Claims 1, 3, 5-11, 55, and 56 require a database of the magnetic fields of the earth. No such database is

disclosed by Lin, et al. Applicant respectfully submits that claims 1, 3, 5-11, and 56 are therefore in condition for allowance.

However, assuming only for purposes of argument that Lin, et al. do indeed substantially show or describe the applicants' invention, the applicants hereby offer, pursuant to 37 CFR 1.131, the Inventor's Declaration that is included herewith as Appendix A, which declaration establishes conception of the invention prior to the earliest claimed priority date of Lin, et al., coupled with due diligence from prior to the earliest priority date of Lin, et al. through the date of filing of this application.

More particularly, Lin, et al. issued on November 12, 2002, from an application filed on July 20, 2001, which claims priority from a provisional patent application filed July 20, 2000. However, the applicants conclusively demonstrate in their attached Declaration that they conceived at least as early as June 3, 2000, and that they exercised due diligence from at least the date of conception until the application was filed on January 11, 2002. Thus, Lin, et al. must be removed as a reference with respect to this application.

As a consequence, by virtue of the enclosed Declaration under Rule 1.131, Lin, et al. has been removed as a prior-art reference with respect to the subject matter of the application and rejection under 35 USC 102(e) is improper. Applicant respectfully requests reconsideration and allowance of claims 1, 3, 5-11, 14, 55, and 56.

Rejection under 35 U.S.C. 103(a)

Claims 2 and 21 stand rejected under 35 USC 103(a) as being unpatentable over Lin, et al. in view of Burgett, et al. (U.S. Pat. No. 6,522,298).

For all of the reasons explained previously, Lin, et al. has been removed as a prior art reference with respect to the invention disclosed and claimed herein. Thus, rejection under § 103(a) is improper and should be withdrawn.

Rejection under 35 U.S.C. 103(a)

Claims 4, 13, 16, 19, 20, 22, 24-26, 31, and 32 stand rejected under 35 USC 103(a) as being unpatentable over Lin, et al. in view of Lin (U.S. Pat. No. 6,415,223).

Applicant respectfully submits that, contrary to an assertion in the Office Action, neither Lin, et al. nor Lin discloses a database of the magnetic fields of the earth. Beyond that however, for all of the reasons explained previously, Lin, et al. has been removed as a prior art reference with respect to the invention disclosed and claimed herein. Thus, rejection under § 103(a) is improper and should be withdrawn.

Rejection under 35 U.S.C. 103(a)

Claims 20, 27, and 28 stand rejected under 35 USC 103(a) as being unpatentable over Lin, et al. in view of Lin and further in view of Lemelson, et al. (US 2002/0022927A1).

For all of the reasons explained previously, Lin, et al. has been removed as a prior art reference with respect to the invention disclosed and claimed herein. Thus, rejection under § 103(a) is improper and should be withdrawn.

Rejection under 35 U.S.C. 103(a)

Claims 17 and 18 stand rejected under 35 USC 103(a) as being unpatentable over Lin, et al. in view of Billebaud (U.S. Pat. No. 6,202,931B1) or Simmons (EP0697806A1).

For all of the reasons explained previously, Lin, et al. has been removed as a prior art reference with respect to the invention disclosed and claimed herein. Thus, rejection under § 103(a) is improper and should be withdrawn.

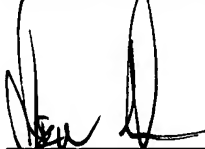
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In view of the foregoing, the all of the rejections offered by the Examiner as part of the above-identified Office Action are now moot. Thus, these rejections should be now be withdrawn and the application allowed to issue.

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In view of the above, it is submitted that the claims as-modified are in condition for allowance. Early and favorable action is, therefore, earnestly solicited.

Respectfully submitted,



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11/26/03
Date